

HOUSE BILL 2069

By Daniel

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 7; Title 49, Chapter 8 and Title 49,
Chapter 9, relative to in-state tuition and fees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Tuition Stability Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 8, Part 2, is amended by adding the following language as a new section:

(a) Except as provided in § 49-8-110, the board of regents shall not increase in-state undergraduate tuition or fees at a four-year institution above the rates charged by the institution in the 2015-2016 academic year until the 2018-2019 academic year.

(b) Except as provided in § 49-8-110, if the board of regents chooses to increase undergraduate in-state tuition or fees at a four-year institution for the 2018-2019 academic year or any subsequent academic year and the proposed percentage increase in the rates of the tuition and fees exceeds the most recent annual percentage change in the consumer price index (CPI) by two percent (2%) or more, the proposed increases shall be effective only if all voting members of the board of regents vote for the increase. If the proposed percentage increase in tuition and fees at a four-year institution is greater than the most recent annual percentage change in the CPI, but is less than two percent (2%) greater, then the proposed increase shall be effective only if at least two thirds ($\frac{2}{3}$) of the voting members of the board of regents vote for the increase.

(c) Except as provided in § 49-8-110, the board of regents shall not increase in-state tuition and fees at an institution that enrolls Tennessee Promise scholarship students for any academic year by more than the most recent percentage increase in the

consumer price index, unless all voting members of the board of regents vote for the increase. This section does not apply to four-year institutions that enroll Tennessee Promise scholarship students.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 9, Part 2, is amended by adding the following language as a new section:

(a) The University of Tennessee board of trustees shall not increase in-state undergraduate tuition or fees at a four-year institution above the rates charged by the institution in the 2015-2016 academic year until the 2018-2019 academic year.

(b) If the board of trustees chooses to increase undergraduate in-state tuition or fees at a four-year state institution for the 2018-2019 academic year or any subsequent academic year and the proposed percentage increase in the rates of the tuition and fees exceeds the most recent annual percentage change in the consumer price index (CPI) by two percent (2%) or more, the proposed increases shall be effective only if all voting members of the board of trustees vote for the increase. If the proposed percentage increase in tuition and fees at a four-year institution is greater than the most recent annual percentage change in the CPI, but is less than two percent (2%) greater, then the proposed increase shall be effective only if at least two thirds ($\frac{2}{3}$) of the voting members of the board of trustees vote for the increase.

SECTION 4. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) As used in this section:

(1) "Entering freshman" means a student entering a four-year state institution who has not attempted any semester hours at any institution of higher education after graduating from high school, completing high school in a home school program, or obtaining a GED® or HiSET®;

(2) "Tuition" includes tuition, maintenance fees, course fees, program service fees, student activity fees, registration or matriculation fees, and any other fee that a student must pay to attend a state institution of higher education.

"Tuition" does not include late registration fees, returned check fees, parking fines, library fines, or any other fee that a student can avoid accruing or the costs of books and supplies, dormitory or other housing, and meal plans or other board; and

(3) "Tuition-freeze program" means a program under which an undergraduate student's tuition does not increase in the student's second, third, or fourth years of enrollment above the rate of tuition in effect at the time the student enrolled as an entering freshman, if the student is enrolled in an undergraduate degree requiring one hundred twenty (120) semester hours to graduate. If a student is enrolled in an undergraduate degree program requiring more than one hundred twenty (120) semester hours to graduate, "tuition-freeze program" means a program under which the student's tuition does not increase in the student's second, third, fourth, or fifth years of enrollment above the rate of tuition in effect at the time in which the student enrolled as an entering freshman.

(b)

(1) Beginning with the 2018-2019 academic year, an in-state undergraduate tuition-freeze program shall be instituted at all four-year state institutions for entering freshmen.

(2) An in-state student shall be eligible for a tuition-freeze program only once.

(3) If an in-state student ceases to be enrolled as an in-state undergraduate student at a four-year state institution at any time during the years encompassed by the student's tuition-freeze program, then the student shall cease to be eligible for the tuition-freeze program. If the student subsequently

reenrolls in a state institution, then the student shall pay in-state undergraduate tuition at the institution's highest rate.

(4) If an in-state student enrolls as an undergraduate at a four-year state institution in a year beyond those included in the student's tuition-freeze program, then the student shall pay in-state undergraduate tuition at the institution's highest rate.

(5) If a student who is eligible for the in-state undergraduate tuition-freeze program at a four-year state institution transfers to another four-year state institution, then the student shall be eligible for the in-state tuition-freeze program at the state institution to which the student transfers. The student shall pay in-state tuition at the rate charged to entering freshmen at the time the student was an entering freshman.

(6)

(A) A student who is eligible for an in-state undergraduate tuition-freeze program who has an approved medical or personal leave of absence from the four-year state institution shall continue to be eligible for the tuition-freeze program upon resuming the student's education at the institution so long as the student continues to meet all applicable eligibility requirements.

(B) The Tennessee higher education commission is authorized to promulgate rules concerning the application for and approval of medical or personal leaves of absence and a student's resumption of attendance at a four-year state institution. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(c)

(1) Notwithstanding the requirement in subsection (b) that to be eligible for the tuition-freeze program a student must be an entering freshman, beginning with the 2018-2019 academic year, a student shall be eligible for the tuition-freeze program if the student:

(A) Receives a Tennessee Promise scholarship under § 49-4-708;

(B) Graduates from a two-year state institution of higher education with an associate degree as a Tennessee Promise student in good standing; and

(C) Enrolls in a four-year state institution:

(i) If the student graduates in a spring or summer semester, in the immediately following fall semester; or

(ii) If the student graduates in a fall semester, in the immediately following spring semester.

(2) A student qualifying under this subsection (c) shall pay undergraduate tuition at the rate in effect when the student enrolls in the four-year institution.

The student's tuition freeze program shall be in effect in the first year of enrollment at the four-year institution and in the following year, if the student is in an undergraduate degree program that requires one hundred twenty (120) semester hours to graduate. The student's tuition freeze program shall be in effect in the first year of undergraduate enrollment at the four-year institution and in the following two (2) years, if the student is in an undergraduate degree program that requires more than one hundred twenty (120) semester hours to graduate.

(3) The provisions of subsection (b) shall apply to the tuition-freeze program for students under this subsection (c).

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.